

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: § Case No. 21-33989
SMOKINKWR, LLC § Chapter 11
Debtors. §
§
§

**DECLARATION OF PATTY HOLDER IN SUPPORT OF
MOTION FOR RELIEF FROM THE AUTOMATIC STAY OR,
IN THE ALTERNATIVE, FOR ADEQUATE PROTECTION**

PATTY HOLDER, pursuant to 28 U.S.C. §1746, states the following under penalty of perjury that:

1. I am over the age of eighteen years old, and make this declaration as of my own free will.
2. I am the Supervisor of Accounts Receivable of KRG Kingwood Commons, LLC (“KRG Kingwood”), and am familiar with the books and records of KRG Kingwood.
3. I make this Declaration based on personal knowledge and review of KRG Kingwood’s regularly kept business records, and I am competent to testify to the facts herein.
4. KRG Kingwood and Smokey Bites, LLC are parties to an unexpired lease of nonresidential real property dated November 11, 2015 (the “Lease”), located in the Knoxville Square Shopping Centre at 532 Kingwood Drive, Kingwood, TX 77339 (the “Premises”). A true and correct copy of the Lease is attached hereto as Exhibit A.
5. Based on my review of the books and records of KRG Kingwood, there is no lease assignment, lease amendment or other document evidencing a lease arrangement between KRG Kingwood and any of Smokinkwr LLC (the “Debtor”), Brian Hubbard, or Anthony Hubbard.

6. KRG Kingwood continued to receive monthly rent payments through October 2021, at which time checks were being returned for insufficient funds.

7. As of December 14, 2021, the rent obligations related to the Leased Premises had been underpaid in an aggregate amount of Sixteen Thousand Three Hundred One and 67/100 Dollars (\$16,301.67) (the “Rent Deficiency”). A true and correct copy of the tenant ledger, evidencing the unsecured claim, is attached as Exhibit B.

8. To date, KRG Kingwood has not received payment for February 2022 rent or for March 2022 rent.

Under penalty of perjury, I declare that I have read the foregoing and believe that it is true.

DATED this 3rd day of March, 2022.



Patty Holder